

HOME RULE CHARTER

AND CODE

OF THE

CITY OF BRIGHTON, COLORADO

1999

Colorado Code Publishing Company
210 West Magnolia Street
Fort Collins, CO 80521-2812
(970) 498-9229
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Book No. _____

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of the
CITY OF BRIGHTON

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Mayor Pro Tem
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Elias Huerta
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Jeanette "Jan" Mayeda
Daryl L. Meyers
Terry Moore

City Manager
John Bramble

City Clerk
Karen Borkowski

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BRIGHTON MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 1811, adopted June 1, 2004.**

Remove old pages

iii
M-xvii—M-xx
1-9, 1-10
2-3, 2-4
2-9, 2-10
2-29, 2-30
2-37
8-3
8-35
9-1—9-3
9-14a—9-16*
9-27—9-29
10-1, 10-2
10-5—10-8
13-9—13-12a
13-33—13-36
T-33—T-102
I-1, I-2
I-7, I-8
I-11—I-18
I-25—I-27

Insert new pages

iii
M-xvii—M-xx
1-9, 1-10
2-3—2-5
2-9, 2-10
2-29, 2-30
2-37—2-40
8-3
8-35—8-37
9-1—9-3
9-15—9-16b
9-27—9-29
10-1, 10-2
10-5—10-8b
13-9—13-12b
13-33—13-36
T-33—T-102
I-1—I-2a
I-7, I-8
I-11—I-18a
I-25—I-27

Insert this instruction sheet behind the Supplementation Tab in the front of the volume. File removed sheets for future reference.

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BRIGHTON MUNICIPAL CODE

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Remove old pages

C-3, C-4
M-xvii, M-xviii
3-1—3-3
3-7, 3-8
3-17—3-25
5-3, 5-4
5-33—5-38
5-73, 5-74
12-1—12-4
12-11, 12-12
13-1—13-12
13-17—13-32
T-31—T-102
I-5, I-6
I-9, I-10
I-13—I-16
I-19—I-22
I-25—I-27

Insert new pages

C-3, C-4
M-xvii, M-xviii
3-1—3-3
3-7—3-8c
3-17—3-70
5-3, 5-4
5-33—5-38
5-73, 5-74
12-1—12-4a
12-11, 12-12
13-1—13-12a
13-17—13-40
T-31—T-102
I-5, I-6
I-9, I-10
I-13—I-16
I-19—I-22
I-25—I-27

Insert this instruction sheet behind the Supplementation Tab in the front of the volume. File removed sheets for future reference.

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BRIGHTON MUNICIPAL CODE

Supplementation Instructions

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Remove old pages

Title page
iii
vii—xxv
1-5—1-9
2-1—2-14
2-27—2-51*
3-1, 3-2
3-5—3-18
5-9, 5-10
5-13, 5-14
5-51, 5-52
5-63—5-68
6-1—6-11
9-9—9-14
13-1—13-14
13-19, 13-20
13-25—13-29
16-1—16-3
16-7, 16-8
16-31—16-34
T-31—T-102
I-1—I-26

Insert new pages

Title page
iii
vii—M-xxi (includes Charter & 3 tabs)
1-5—1-10
2-1—2-14a
2-27—2-37
3-1, 3-2
3-5—3-18b
5-9, 5-10
5-13, 5-14
5-51, 5-52
5-63—5-68a
6-1—6-18
9-9—9-14a
13-1—13-14b
13-19, 13-20
13-25—13-32
16-1—16-3
16-7—16-8a
16-31—16-35
T-31—T-102
I-1—I-27

Insert this instruction sheet behind the Supplementation Tab in the front of the volume. File removed sheets for future reference.

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SUPPLEMENTATION

Supplements to this Code provide periodic updating through the removal and replacement of pages. This inter-leaf supplementation system requires that each page which is to be removed and replaced is identified so that the updating may be accurately accomplished and historically maintained.

Instructions for supplementation are provided for each supplement, identified by Supplement date and inclusive ordinance numbers. The Instructions for posting the removal and replacement of pages must be followed and accomplished in sequence, with the most recent supplementation posted **last**.

When supplementation is completed and the removal and replacement of all pages are accomplished, the Instructions should be placed under the Supplementation tab, behind this page, with the most recent Instruction sheet on top. Previous Instructions should not be removed, so that the user may refer to this tab section to verify whether the code book is fully updated with all supplements included.

The maintenance of a Municipal Code with all supplementation is an important activity which deserves close attention so that the value of the code is maintained as a fully comprehensive compilation of the legislative ordinances of the municipality.

AMENDMENTS

Amendments may be made to the Code by additions, revisions or deletions therefrom. Those changes may be made as follows:

Additions: Additions may be made by ordinance to the Code as follows:

The "Brighton Municipal Code" is amended by the addition thereto of a new Section 9.02.010, which is to read as follows:

(Set out full section number, title and contents)

or if the location of the new section number or numbers is undetermined, the Code may be amended as follows:

The "Brighton Municipal Code" is amended by the addition of the following:

(Set out section title and contents)

Revisions: A revision of the Code may be accomplished as follows:

Section 9.02.010 of the "Brighton Municipal Code" is repealed in its entirety and readopted to read as follows:

(Set out section number, title and entire contents of the readopted code section)

or as follows:

Section 9.02.010 of the "Brighton Municipal Code" is amended to read as follows:

(Set out section number, title and entire contents of the amended code section)

Repeal: Sections, articles and chapters may be repealed as follows:

Section 9.02.010 of the "Brighton Municipal Code" is repealed in its entirety.

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CITY OF BRIGHTON
MASTER TABLE OF CONTENTS

MASTER TITLE PAGE	i
OFFICIALS OF THE CITY	iii
SUPPLEMENTATION	v
MASTER TABLE OF CONTENTS	vii
CHARTER TITLE PAGE	C-i
CHARTER TABLE OF CONTENTS	C-iii
CHARTER	C-1
Article I Name & Boundaries	
Article II Municipal Powers	
Article III Elections	
Article IV City Council	
Article V Council Procedures	
Article VI Initiative, Referendum and Recall	
Article VII Administration	
Article VIII Legal and Judiciary	
Article IX Boards and Commissions	
Article X Finance and Budget	
Article XI Municipal Borrowing	
Article XII Municipal Taxation	
Article XIII Municipal Investments	
Article XIV City-Owned Utilities	
Article XV Franchises and Permits	
Article XVI Special Districts	
Article XVII Miscellaneous Provisions	
Article XVIII Transitional Provisions	
Article XIX Definitions	
CHARTER INDEX	CI-1
CODE TITLE PAGE	M-i
PREFACE	M-iii
ADOPTING ORDINANCE	M-v
CODE TABLE OF CONTENTS	M-xvii
Chapter 1 General Provisions	
Chapter 2 Administration and Personnel	
Chapter 3 Revenue and Finance	
Chapter 4 Reserved	
Chapter 5 Business Licenses, Regulations and Occupations	
Chapter 6 Animals	
Chapter 7 Reserved	
Chapter 8 Health and Safety	
Chapter 9 Public Peace, Morals and Welfare	
Chapter 10 Vehicles and Traffic	

CODE

OF THE

CITY OF BRIGHTON, COLORADO

1999

Colorado Code Publishing Company
Fort Collins, Colorado

PREFACE

The City of Brighton, a home rule city, has published its Municipal Code in a format which features the following:

The *Table of Contents* is the table containing each chapter and article title, with reference to page location. Preceding each chapter is a chapter table of contents, also identifying each article by the subject name provided.

The *three-place section numbering system* places the chapter number first, followed by the article number and section number, separated by hyphens. Each section may be cited by the chapter, article and section number which are in sequence within each chapter.

The *open chapter and page numbering system* creates reserved chapter and page numbers for expansion or revision of the code without undue complication when changes are made to the code by supplementation.

The *Disposition of Ordinances Table* identifies the source for the contents of the code. This table provides ordinance numbers in chronological order and location by section number for the present code contents. Thus, if there is interest in determining whether an ordinance, or a portion thereof, is contained within the code, the Disposition of Ordinances Table will provide that information. The *Table of Up-to-Date Pages* lists all of the current pages through the most recent supplementation.

The *Index* provides references by common and legal terminology to the appropriate code sections. Cross references are provided within the Index when appropriate.

Supplements to the code provide regular updating of the code to maintain it as a current compilation of all the legislation which has general and continuing effect. Without regular supplementation, the code would soon lose its usefulness as a complete source of the general law of the municipality. Supplementation is accomplished by the periodic publication of additions and amendments to the code.

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CITY OF BRIGHTON, COLORADO

ORDINANCE NO. 1589

AN ORDINANCE OF THE CITY OF BRIGHTON, COLORADO, ADOPTING BY REFERENCE AND ENACTING THE REPUBLISHED MUNICIPAL CODE FOR THE CITY OF BRIGHTON; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE ADOPTION OF SECONDARY CODES BY REFERENCE; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

Be It Ordained by the City Council of the City of Brighton, Colorado:

Section 1. The primary code entitled the *Brighton Municipal Code* published by Colorado Code Publishing Company, consisting of Chapters 1 through 16, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before the adoption date of this Ordinance, which are inconsistent with the provisions of the Brighton Municipal Code, to the extent of such inconsistency, are hereby repealed.

Section 3. The repeal established in Section 2 of this Ordinance shall not be construed to revive any ordinance or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 4. The following secondary codes were previously adopted by reference and incorporated in the Brighton Municipal Code. One (1) copy is on file in the City Clerk's office:

(1) The *Model Traffic Code for Colorado Municipalities*, 1995 edition, published by the Colorado Department of Transportation, as adopted and amended in Section 10-4-20 et seq.;

(2) The *Uniform Building Code*, 1997 edition, including the *Uniform Building Code Appendix* and the *Uniform Building Code Standards*, published by the International Conference of Building Officials, as adopted and amended in Section 15-4-10 et seq.;

(3) The *Uniform Building Conservation Code*, 1997 edition, published by the International Conference of Building Officials, as adopted and amended in Section 15-6-10 et seq.;

(4) The *Uniform Code for the Abatement of Dangerous Buildings*, 1997 edition, published by the International Conference of Building Officials, as adopted and amended in Section 15-8-10 et seq.;

(5) The *National Electrical Code*, 1996 edition, published by the National Fire Protection Association, as adopted and amended in Section 15-12-10 et seq.;

(6) The *Uniform Fire Code*, 1997 edition, published by the International Fire Code Institute, as adopted and amended in Section 15-20-10 et seq.

(7) The *Uniform Housing Code*, 1997 edition, published by the International Conference of Building Officials, as adopted and amended in Section 15-28-10 et seq.

(8) The *Uniform Mechanical Code*, 1997 edition, published by the International Conference of Building Officials, as adopted and amended in Section 15-32-10 et seq.;

(9) The *Uniform Plumbing Code*, 1997 edition, and the *International Association of Plumbing and Mechanical Officials Installation Standards*, published by the International Association of Plumbing and Mechanical Officials, as adopted and amended in Section 15-36-10 et seq.;

(10) The *Colorado Model Energy Efficiency Construction and Renovation Standards for Non-Residential Buildings*, Second Edition, published in 1977 and as amended in 1979, by the Board of Energy Efficiency Non-Residential Building Standards, as adopted and amended in Section 15-42-10 et seq.;

(11) The *Colorado Recommended Energy Conservation Performance Code for New Construction and Renovation of Residential Buildings*, Second Edition, adopted in 1977 and as amended in 1979, by the Colorado State Housing Board, as adopted and amended in Section 15-46-10 et seq.; and

(12) The *Uniform Building Security Code*, 1997 edition, published by the International Conference of Building Officials, as adopted and amended in Section 15-50-10 et seq.

Section 5. The penalties provided by the Brighton Municipal Code are hereby adopted as follows:

(1) Sec. 1-24-10. Designated. (Article 1-24, General Penalty)

Any person convicted of violating any ordinance section or Code section may be incarcerated for a period not to exceed one (1) year or fined an amount not to exceed one thousand dollars (\$1,000.00), or both (notwithstanding any lower maximums or limitations upon sentences that may be contained in any existing ordinance or Code section of the City and any such previous limitations are hereby rescinded and nullified), including convictions for violation of traffic offenses under the Model Traffic Code adopted by ordinance; except, in nontraffic cases any person who has not become eighteen (18) years of age as of the date of the violation shall not be subject to incarceration unless such incarceration is for failure to comply with a lawful order of the Court or for contempt of Court. The Court may also order convicted defendants to pay restitution to any victim or to the City for any amount of damages or expenses related to the violation.

(2) Sec. 1-24-30. Restitution. (Article 1-24, General Penalty)

In the event any violation of this Code involves injury to any person or destruction or damage to any property, the Municipal Court shall give consideration to suspension of all or part of any penalty for such violation with a corresponding condition that restitution shall be required of any person so convicted, to be made to any victim of such destruction, damage or injury.

(3) Sec. 1-24-40. In-home detention. (Article 1-24, General Penalty)

Any person who is convicted of violating any ordinance section or code section under the Model Traffic Code adopted by ordinance may be ordered to serve in-home detention as part of the requirement of a suspended sentence or probation. The in-home detention shall not

exceed one hundred eighty (180) days and shall be monitored by a designee appointed by the Municipal Court. The Court shall order the costs associated with the in-home detention to be paid by the convicted person. Failure to comply with an in-home detention order on the part of an individual shall constitute contempt of the Municipal Court.

(4) Sec. 2-16-80. Failure of parent to obey court orders. (Article 2-16, Municipal Court)

(c) As punishment for a violation of these Subsections, the Court may impose a fine on the juvenile and/or parent, guardian or legal custodian of up to one thousand dollars (\$1,000.00) and/or incarceration up to one (1) year on the parent, guardian or legal custodian.

(5) **Sec. 3-36-80. Violation; penalty. (Article 3-36, Telephone Utility Company Occupation Tax)**

(a) It is unlawful for any person to violate any provision or fail to comply with any of the requirements of this Article. Any person who violates any of the provisions of this Article shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for a period of not more than ninety (90) days or by both such fine and imprisonment. Each such person is guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Article is committed, continued or permitted by such person and shall be punished accordingly.

(6) **Sec. 5-44-140. Violation; penalty. (Article 5-44, Pawnbrokers)**

Any person violating any of the provisions of this Article upon conviction shall be punishable as provided in Article 1-24 of this Code. It is intended that this penalty shall apply to all violations of this Article except the felony violations specified in Section 12-56-104, C.R.S. (Ord. 1323 §7, 1989; Ord. 1582, 1999)

(7) **Sec. 5-94-40. Violations and penalties. (Article 5-94, Sexually Oriented Businesses)**

(h) Penalties.

(1) Any violation of Subsections a, b, c and d of this Section shall be punishable by a fine in a minimum amount of two hundred fifty dollars (\$250.00) and a maximum amount of one thousand dollars (\$1,000.00), plus all applicable court costs.

(2) Any violation of Subsections e or f of this Section shall be punishable by a maximum penalty.

(3) Each day a violation occurs shall be considered a separate and distinct offense.

(8) **Sec. 6-4-181. Penalty for owning or maintaining vicious animals. (Article 6-4, Animal Regulations)**

(a) Any owner or possessor of a vicious animal who violates the provisions of Section 6-4-170 above upon conviction thereof shall be punished as follows:

(1) For the first offense, a fine of not less than one hundred dollars (\$100.00) nor more than three hundred dollars (\$300.00) or imprisonment for a term not exceeding ninety (90) days or by both such fine and imprisonment, which shall be imposed only after a mandatory court appearance;

(2) For the second offense, a fine of not less than two hundred dollars (\$200.00) nor more than three hundred dollars (\$300.00) or imprisonment for a term not exceeding ninety (90) days or by both such fine and imprisonment, which shall be imposed only after a mandatory court appearance; and

(3) For the third offense, a fine of not less than three hundred dollars (\$300.00) or imprisonment for a term not exceeding ninety (90) days, or by both such fine and imprisonment which shall be imposed only after a mandatory court appearance.

(b) The Court shall have no discretion to suspend all or any portion of the minimum fines provided for in this Section.

(9) **Sec. 8-8-280. Violation; penalty. (Article 8-8, Vegetation, Rubbish and Junk Control)**

Any person found guilty of violating any provisions of this Division, upon conviction thereof, is punishable as is provided in Article 1-24 of this Code.

(10) **Sec. 8-12-70. Violation; penalty. (Article 8-12, Garbage Collection)**

Any person found in violation of Section 8-12-60 is punishable as provided in Article 1-24 of this Code.

(11) **Sec. 8-16-90. Maintaining a violation after repeated notice. (Article 8-16, Littering and Obstruction)**

It is unlawful and a public nuisance for any person to own, maintain, manage or control property in connection with which a designated representative of the City has issued a written notice for violation of any part of Article 8-08, 8-12 or 8-16 or Section 12-8-10(a) of this Code three (3) times or more within a twelve-month period. Notices may be but need not be for the same type of violation in order to constitute a nuisance. Such a nuisance is a separate and distinct offense for which the violator may be charged in addition to any other charges, or remedies available to the City for the abatement of a nuisance. Any person, corporation or other entity found guilty or pleading guilty or nolo contendere to violating any provisions of this title shall be punishable by a fine of not more than three hundred dollars (\$300.00) or incarceration of not more than ninety (90) days in jail, or both. No written or verbal notice or warning of violation shall be required prior to a criminal prosecution for violation of this Chapter, and such prosecution may occur regardless of whether nuisance abatement procedures are or are not commenced.

(12) **Sec. 9-4-100. Contempt of court; penalty. (Article 9-4, Government and Public Officers)**

It is unlawful for any person to be in contempt of the Municipal Court or to fail to obey a lawful notice to appear before the Municipal Court, and any person found by the Municipal

Court to be in violation of this Section shall be punished by a fine of not more than three hundred dollars (\$300.00), or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.

(13) **Sec. 9-4-130. Violation; penalty. (Article 9-4, Government and Public Officers)**

Any person found guilty of violating Sections 9-4-20 through 9-4-50, 9-4-80 and 9-4-90 of this Article shall be punished by a fine of not more than three hundred dollars (\$300.00) or by imprisonment not to exceed ninety (90) days or by both such fine and imprisonment.

(14) **Sec. 9-12-20. Violation and penalty for trespass. (Article 9-12, Public, Private and Personal Property)**

(a) A person who is found guilty or enters a plea of guilty or nolo contendere to violating Section 9-12-10 shall be punished as follows:

- (1) For the first offense, a fine of not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00);

(2) For the second offense committed within five (5) years of a first offense, a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00);

(3) For the third and all subsequent offenses committed within five (5) years of the first offense, a minimum penalty of a three-hundred-dollar fine.

(b) The minimum fines imposed by this Section shall be mandatory and the Court shall not suspend a fine, in whole or in part.

(15) Sec. 9-12-130. Penalties regarding graffiti. (Article 9-12, Public, Private and Personal Property)

(a) Persons convicted of violation of Section 9-12-120 shall be subject to the penalties provided by this Code and twenty-four (24) hours of community service for each offense. The community service shall be dedicated exclusively to the removal of graffiti. If there is no graffiti in the City to be removed at time of sentencing, another form of useful community service may be substituted for graffiti removal.

(b) The Court shall impose the maximum fine allowed by this Code and at least forty-eight (48) hours of community service, in addition to any jail sentence imposed by the Court, upon any person convicted three (3) or more times of violation of this Section.

(c) There is hereby created the graffiti abatement fund, to be kept separate and apart from the general fund, under the control and supervision of the Municipal Court Clerk where all graffiti abatement fund fees shall be deposited.

(d) In addition to any other penalty imposed by the Court, the Court shall order a convicted defendant under this Section to pay two hundred fifty dollars (\$250.00) for each location of occurrence into the graffiti abatement fund, unless the actual costs of abatement of

the graffiti placed in that case exceeds two hundred fifty dollars (\$250.00), in which event the Court shall order the full amount of the costs of abatement paid into the graffiti abatement fund by that defendant. The amount due the abatement fund by the defendant for a second conviction is five hundred dollars (\$500.00) and for a third and subsequent conviction, one thousand dollars (\$1,000.00). If the person convicted is under eighteen (18) years of age, that person's parent or parents or legal guardian or guardians shall also be responsible for payment to the graffiti abatement fund fee in the nature of civil damages, as applying graffiti is a deliberate, willful and malicious act.

(16) Sec. 9-12-160. Violation; penalty. (Article 9-12, Public, Private and Personal Property)

Every person found guilty of a violation of any provision of this Article shall be punishable as provided by Article 1-24 of this Code.

(17) Sec. 9-20-30. Violation; penalty. (Article 9-20, Minors)

(a) Any person under the age of sixteen (16) years violating any of the provisions of this Article, upon conviction thereof, shall be punished by a fine not exceeding three hundred dollars (\$300.00).

(18) Sec. 9-28-40. Penalty for possession. (Article 9-28, Drugs and Drug Paraphernalia)

(a) A person commits possession of drug paraphernalia if he or she possesses drug paraphernalia and knows or reasonably should know that the drug paraphernalia could be used under circumstances in violation of the laws of this State.

(b) Any person who commits possession of drug paraphernalia commits a violation of this Code.

(19) Sec. 9-28-80. Offenses relating to marihuana. (Article 9-28, Drugs and Drug Paraphernalia)

(b) Any person who openly and publicly displays, consumes or uses not more than one (1) ounce of marihuana commits a violation of this Code and, upon conviction thereof, shall be punished, at a minimum, by a fine of not less than one hundred dollars (\$100.00) and by up to one (1) year in jail.

(20) Sec. 10-4-40. Penalties. (Article 10-4, Model Traffic Code)

(2) Every person convicted of a violation of any provision adopted in this Article shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment not exceeding three hundred sixty-five (365) days, or by both such fine and imprisonment.

(21) Sec. 10-7-30. Violations; penalty. (Article 10-7, Recreational Vehicles)

Any person convicted of a violation of this Article may be punishable as provided by Article 1-24 of this Code.

(22) Sec. 10-8-70. Penalties. (Article 10-8, Inoperable Vehicles)

Any person found guilty or pleading guilty or nolo contendere to violating any provisions of this Chapter shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by incarceration of not more than ninety (90) days in jail, or both. No written or verbal notice or warning of violation shall be required prior to a criminal prosecution for violation of this Chapter, and such prosecution may occur regardless of whether nuisance abatement procedures are or are not commenced.

(23) Sec. 10-12-30. Violation; penalty. (Article 10-12, Railroads)

Any person convicted of a violation of this Article may be punishable as provided by Article 1-24 of this Code.

(24) Sec. 12-4-130. Unpaid assessment penalty. (Article 12-4, Construction of Improvements)

A ten-percent penalty on the unpaid assessment shall be added to the assessment to defray the cost of collection.

(25) Sec. 12-4-190. Assessment. (Article 12-4, Construction of Improvements)

After the public hearing, the City Council shall make any changes in the assessment as may in its judgment be necessary, equitable or just and shall thereupon finally determine the amount of such assessments and assess the costs of improvements, including a ten-percent penalty thereon to defray the cost of collection.

(26) Sec. 12-8-30. Penalties. (Article 12-8, Sidewalk, Curb or Gutter)

Any person found guilty or pleading guilty or nolo contendere to violating any provisions of this Chapter shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by incarceration of not more than ninety (90) days in jail, or both. No written or verbal notice of warning of violations shall be required prior to a criminal prosecution for violation of this Chapter

and such prosecution may occur regardless of whether nuisance abatement procedures are or are not commenced.

(27) Sec. 13-4-130. Monthly water service; schedule. (Article 13-4, Water Regulations and Rates)

(3) Residential senior citizen and permanently disabled discount. Any retired resident of the City over the age of sixty (60) years or any permanently disabled resident of the City may apply for a discount on his or her water bill. To be eligible, the applicant must certify on forms provided by the City that the water account is for his or her principal residence, and he or she is either over sixty (60) years of age or permanently disabled. Any applicant who provides false information on the forms is subject to a one-hundred-dollar penalty that shall be assessed against his or her utility account. The monthly fixed charge for water will be four dollars and thirty-eight cents (\$4.38) plus a volume-based monthly rate of one dollar and three cents (\$1.03) per one thousand (1,000) gallons of usage for the first five thousand (5,000) gallons of usage, then three dollars and three cents (\$3.03) per one thousand (1,000) gallons thereafter.

(28) Sec. 13-12-320. Penalties. (Article 13-12, Sewer Use Regulations)

Any person who shall continue any violation beyond the time limit provided for in Section 13-12-310 shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in the amount not exceeding three hundred dollars (\$300.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate violation.

(29) Sec. 13-16-70. Rates; notification. (Article 13-16, Sewer Rates)

(f) The effective date for such billing shall be the first full monthly billing after such written application has been approved. A separate application must be submitted for each account. If the City finds, upon review of the records, that any one (1) of the conditions set forth above was not met, or if the applicant has provided false or misleading information on the application forms, a one-hundred-dollar penalty shall be assessed against the utility account and the entire year's billing shall revert to the commercial classification.

(30) Sec. 15-4-110. Penalties and civil remedies. (Article 15-4, Uniform Building Code and Standards)

(a) It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article, the Uniform Building Code, including all appendices thereto hereby adopted or any order issued by the Building Official hereunder. Any person violating any of said provisions or any such order shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of such provisions or of such order is committed, continued or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(31) Sec. 15-6-70. Penalties and civil remedies. (Article 15-6, Uniform Building Conservation Code)

(a) It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article, the Uniform Code for Building Conservation, including all appendices thereto hereby

adopted, or any order issued by the Building Official hereunder. Any person violating any of said provisions or any such order shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of such provisions or of such order is committed, continued or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(32) Sec. 15-8-70. Penalties and civil remedies. (Article 15-8, Dangerous Buildings Abatement Code)

(a) It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article, the Uniform Code for the Abatement of Dangerous Buildings, hereby adopted, or any order issued by the Building Official hereunder. Any person violating any of said provisions or any such order shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of such provisions or of such order is committed, continued or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(33) Sec. 15-12-70. Penalties and civil remedies. (Article 15-12, National Electrical Code)

(a) It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article, the National Electrical Code and the Uniform Administrative Code Provisions of the 1996 National Electrical Code, hereby adopted or any order issued by the Building Official hereunder. Any person violating any of said provisions or any such order shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of such provisions or of such order is committed, continued or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(34) Sec. 15-20-80. Penalties and civil remedies. (Article 15-20, Fire Prevention and Protection)

(a) It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article, the Uniform Fire Code hereby adopted or any order issued by the Fire Chief or Fire Chief hereunder. Any person violating any of said provisions or any such order shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of such provisions or of such order is committed, continued or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(35) Sec. 15-28-70. Penalties and civil remedies. (Article 15-28, Uniform Housing Code)

(a) It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article, the Uniform Housing Code, or any order issued by the Building Official hereunder. Any person violating any of said provisions or any such order shall be deemed guilty of a

misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of such provisions or of such order is committed, continued or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(36) Sec. 15-32-70. Penalties and civil remedies. (Article 15-32, Uniform Mechanical Code)

(a) It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article, the Uniform Mechanical Code, hereby adopted or any order issued by the Building Official hereunder. Any person violating any of said provisions or any such order shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of such provisions or of such order is committed, continued or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(37) Sec. 15-36-120. Penalties and civil remedies. (Article 15-36, Uniform Plumbing Code)

(a) It shall be unlawful for any person to violate any of the provisions of this Article, the Uniform Plumbing Code, including all appendices thereto hereby adopted, or the installation standards hereby adopted, to fail to comply with any order made thereunder, to construct in violation of any statement or plan submitted and approved thereunder or any certificate or permit issued thereunder, or to fail to comply with such order as affirmed or modified by the administrative authority of the City. Any person violating any of said provisions or any such order shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of such provisions or of such order is committed, continued or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(38) Sec. 15-42-50. Penalties and civil remedies. (Article 15-42, Energy Efficiency Code for Nonresidential Buildings)

(a) It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done contrary to or in violation of any of the provisions of the code. Any person violating any of the provisions of the code shall be deemed guilty of a violation and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the code is committed, continued or permitted and upon conviction of any such violation, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment.

(39) **Sec. 15-46-50. Penalties and civil remedies. (Article 15-46, Energy Conservation Performance Code for New Construction and Renovation of Residential Buildings)**

(a) It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the code hereby adopted. Any person violating any of the provisions of the code shall be deemed guilty of a violation and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the code is committed, continued or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(40) **Sec. 15-50-50. Violation; penalty and civil remedies. (Article 15-50, Uniform Building Security Code)**

(a) It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City contrary to or in violation of any of the provisions of this Article, the Uniform Building Security Code, including amendments thereto, or any order issued by the City Manager hereunder. Any person violating any of such provisions shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of such provisions is committed, continued or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

(41) **Sec. 16-36-10. Violations; penalties and other actions. (Article 16-36, Penalties and Civil Remedies)**

(a) Any person who violates any of the provisions of these regulations shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not more than three hundred dollars (\$300.00) or a jail sentence of not more than ninety (90) days or by both such fines and imprisonment. Each day that a violation of these regulations continues shall constitute a separate and distinct offense, and shall be punishable as such.

Section 6. Additions or amendments to the Code, when passed in the form as to indicate the intention of the City to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 7. Ordinances adopted after this Ordinance that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to those provisions of the Code.

Section 8. This Ordinance shall become effective thirty (30) days after publication, which is November 9, 1999.

INTRODUCED AND PASSED ON FIRST READING AND ORDERED PUBLISHED this 7th day of September, 1999.

CITY OF BRIGHTON, COLORADO

ATTEST:

By: (signature)
Terrence V. Lucero, Mayor

(signature)
Karen Borkowski, City Clerk
(SEAL)

Published in the *Brighton Standard Blade*
First Publication: September 11, 1999

ADOPTED ON FINAL READING AND ORDERED PUBLISHED this 5th day of October, 1999.

CITY OF BRIGHTON, COLORADO

ATTEST:

By: (signature)
Terrence V. Lucero, Mayor

(signature)
Karen Borkowski, City Clerk
(SEAL)

Published in the *Brighton Standard Blade*
Final Publication: October 9, 1999

APPROVED AS TO FORM:

(signature)
Margaret Brubaker, City Attorney

CITY OF BRIGHTON
CODE TABLE OF CONTENTS

Chapter 1	General Provisions	1-1
	Article 1-4 General Provisions	
	Article 1-8 City Name and Organization	
	Article 1-12 City Seal	
	Article 1-16 Wards and Precincts	
	Article 1-20 Right of Entry for Inspection	
	Article 1-24 General Penalty	
 Chapter 2	 Administration and Personnel	 2-1
	Article 2-4 City Council	
	Article 2-8 General Organization	
	Article 2-12 City Manager	
	Article 2-16 Municipal Court	
	Article 2-20 Abandoned or Unclaimed Personal Property	
	Article 2-24 Reserve Police Officers Unit	
	Article 2-28 Health Department and Health Officer	
	Article 2-32 Park and Recreation Advisory Board	
	Article 2-36 Planning Commission	
	Article 2-38 Downtown Development Authority	
	Article 2-40 Housing Authority	
	Article 2-44 Cemetery	
	Article 2-48 Office of Emergency Management	
	Article 2-52 Officers' Bonds	
	Article 2-56 Officers' Salaries	
	Article 2-64 Employees' Pension Plan and Trust Agreement	
	<i>Division 1 Name and Purpose of Plan and Trust</i>	
	<i>Division 2 Contributions by City, State and Participants</i>	
	<i>Division 3 Determination and Vesting of Participants' Interests</i>	
	<i>Division 4 Retirement Date; Designation of Beneficiary</i>	
	<i>Division 5 Distribution From Trust Fund</i>	
	<i>Division 6 Administration Board</i>	
	<i>Division 7 Powers and Duties of Trustee</i>	
	<i>Division 8 Continuance, Termination and Amendment of Plan and Trust</i>	
	<i>Division 9 Miscellaneous</i>	
	Article 2-65 Liquor Licensing Authority	
 Chapter 3	 Revenue and Finance	 3-1
	Article 3-4 Fiscal Year and Budgetary Procedure	
	Article 3-5 Development Impact Fees	
	Article 3-8 Contracts and Purchases	
	Article 3-12 Employees' Pension Fund	
	Article 3-20 Municipal Cemetery Perpetual Care Fund	
	Article 3-24 Alcoholic Beverages	
	Article 3-28 Sales Tax	
	Article 3-32 Use Tax	
	<i>Division 1 General Provisions</i>	

<i>Division 2</i>	<i>Building and Construction Use Tax</i>
<i>Division 3</i>	<i>Motor Vehicle Use Tax</i>
Article 3-36	Telephone Utility Company Occupation Tax

Chapter 5	Business Licenses, Regulations and Occupations.....	5-1
Article 5-4	Business Licenses	
Article 5-8	Alcoholic Beverages	
Article 5-12	Amusement Devices	
Article 5-16	Auctioneers	
Article 5-24	Cabarets	
Article 5-28	Cable Television System	
Article 5-32	Circuses and Carnivals	
Article 5-36	Merchant Guards and Patrols and Industrial Guards	
Article 5-44	Pawnbrokers	
Article 5-48	Peddlers, Canvassers and Solicitors	
Article 5-52	Poolrooms, Billiard Halls and Bowling Alleys	
Article 5-56	Public Dances	
Article 5-68	Tree Care	
Article 5-72	Massage Therapist Licenses	
Article 5-73	Massage Parlors	
Article 5-76	Use of 1886 Church	
Article 5-80	Franchise for Gas and Electricity	
<i>Division 1</i>	<i>Grant of Franchise</i>	
<i>Division 2</i>	<i>Franchise Fee</i>	
<i>Division 3</i>	<i>Company Construction and Operation Obligations</i>	
<i>Division 4</i>	<i>Reports to City</i>	
<i>Division 5</i>	<i>City Use of Company Facilities</i>	
<i>Division 6</i>	<i>Indemnification of the City</i>	
<i>Division 7</i>	<i>Undergrounding of Company Distribution Facilities</i>	
<i>Division 8</i>	<i>Transfer of Franchise</i>	
<i>Division 9</i>	<i>Purchase or Condemnation</i>	
<i>Division 10</i>	<i>Removal of Company Facilities at End of Franchise</i>	
<i>Division 11</i>	<i>Small Power Production and Cogeneration</i>	
<i>Division 12</i>	<i>Forfeiture</i>	
<i>Division 13</i>	<i>Amendments</i>	
<i>Division 14</i>	<i>Miscellaneous</i>	
Article 5-84	Franchise for Electricity to Union Rural Electrical Association, Inc.	
<i>Division 1</i>	<i>Grant of Franchise</i>	
<i>Division 2</i>	<i>Franchise Fee</i>	
<i>Division 3</i>	<i>Company Construction and Operation Obligations</i>	
<i>Division 4</i>	<i>Reports to City</i>	
<i>Division 5</i>	<i>City Use of Company Facilities</i>	
<i>Division 6</i>	<i>Indemnification of City</i>	
<i>Division 7</i>	<i>Undergrounding of Company Distribution Facilities</i>	
<i>Division 8</i>	<i>Transfer of Franchise</i>	
<i>Division 9</i>	<i>Purchase or Condemnation</i>	
<i>Division 10</i>	<i>Removal of Company Facilities at End of Franchise</i>	
<i>Division 11</i>	<i>Small Power Production and Cogeneration</i>	
<i>Division 12</i>	<i>Forfeiture</i>	
<i>Division 13</i>	<i>Amendments</i>	
<i>Division 14</i>	<i>Miscellaneous</i>	

	Article 5-90	Group Homes	
	Article 5-94	Sexually Oriented Businesses	
Chapter 6	Animals		6-1
	Article 6-4	Animal Regulations	
	<i>Division 1</i>	<i>General Provisions</i>	
	<i>Division 2</i>	<i>Rabies Control, Immunization and Confinement</i>	
	<i>Division 3</i>	<i>Owner Responsibilities</i>	
	<i>Division 4</i>	<i>Prohibited and Restricted Animals</i>	
	<i>Division 5</i>	<i>Health and Sanitation Requirements</i>	
	<i>Division 6</i>	<i>Care and Treatment of Animals</i>	
	<i>Division 7</i>	<i>Impoundment</i>	
	<i>Division 8</i>	<i>Kennel License</i>	
	<i>Division 9</i>	<i>Control of Infestations</i>	
Chapter 8	Health and Safety		8-1
	Article 8-4	General Health Provisions	
	Article 8-8	Vegetation, Rubbish and Junk Control	
	<i>Division 1</i>	<i>Weeds, Brush, Rubbish and Junk</i>	
	<i>Division 2</i>	<i>Trees and Plants</i>	
	Article 8-10	Undesirable Plants	
	Article 8-12	Garbage Collection	
	Article 8-16	Littering and Obstructions	
	Article 8-20	Public Hazards	
	Article 8-24	Nuisances	
	Article 8-28	Temporary Fireworks Stand Permit	
	Article 8-32	Community Noise Control	
	Article 8-36	Air Pollution Control	
	Article 8-40	Ice Cream Vendors	
	Article 8-50	Emergency Preparedness	
Chapter 9	Public Peace, Morals and Welfare		9-1
	Article 9-4	Government and Public Officers	
	Article 9-8	Streets and Public Places	
	Article 9-12	Public, Private and Personal Property	
	Article 9-16	Public Peace, Order and Decency	
	Article 9-20	Minors	
	Article 9-24	Alcoholic Beverages	
	Article 9-28	Drugs and Drug Paraphernalia	
	Article 9-32	Weapons	
Chapter 10	Vehicles and Traffic		10-1
	Article 10-4	Model Traffic Code	
	Article 10-5	Parking on Private Property	
	Article 10-6	Fire Lanes	
	Article 10-7	Recreational Vehicles	
	Article 10-8	Inoperable Vehicles	
	Article 10-9	Parking of Oversized Vehicles	
	Article 10-10	Permits for Parking of Vehicles	
	Article 10-11	Illegally Parked Vehicles	
	Article 10-12	Railroads	

Chapter 12	Streets, Sidewalks and Public Places	12-1
	Article 12-4 Construction of Improvements	
	Article 12-8 Sidewalk, Curb or Gutter	
	Article 12-12 Excavations	
	Article 12-20 Trails and Open Space	
Chapter 13	Water and Sewer.....	13-1
	Article 13-4 Water Regulations and Rates	
	Article 13-6 Appropriation of Nontributary Groundwater	
	Article 13-8 Water and Sewer Main Extensions and Installations	
	Article 13-12 Sewer Use Regulations	
	<i>Division 1 Definitions</i>	
	<i>Division 2 Use of Public Sewers Required</i>	
	<i>Division 3 Sanitary Sewers, Building Sewers and Connections</i>	
	<i>Division 4 Use of Public Sewers</i>	
	<i>Division 5 Protection of Sewer System</i>	
	<i>Division 6 Powers and Authority of Inspectors</i>	
	<i>Division 7 Penalties</i>	
	<i>Division 8 Arbitration of Differences</i>	
	Article 13-16 Sewer Rates	
	Article 13-20 Stormwater Management Utilities	
Chapter 15	Buildings and Construction	15-1
	Article 15-4 Uniform Building Code and Standards	
	Article 15-6 Uniform Building Conservation Code	
	Article 15-8 Dangerous Buildings Abatement Code	
	Article 15-12 National Electrical Code	
	Article 15-16 Contractor Licenses	
	Article 15-20 Fire Prevention and Protection	
	Article 15-24 Moving of Structures	
	Article 15-28 Uniform Housing Code	
	Article 15-32 Uniform Mechanical Code	
	Article 15-36 Uniform Plumbing Code	
	Article 15-42 Energy Efficiency Code for Nonresidential Buildings	
	Article 15-46 Energy Conservation Performance Code for New Construction and Renovation of Residential Buildings	
	Article 15-50 Uniform Building Security Code	
Chapter 16	Subdivisions.....	16-1
	Article 16-4 General Provisions	
	Article 16-8 Definitions	
	Article 16-12 Procedures	
	Article 16-16 Design Standards	
	Article 16-20 Improvements	
	Article 16-24 Public Dedications and Reservations	
	Article 16-28 Fees	
	Article 16-32 Variances	
	Article 16-36 Penalties and Civil Remedies	
	Article 16-40 Vested Property Rights	

Tables

Code Comparison Table.....	T-1
Ordinance Disposition Table	T-21
Table of Up-to-Date Pages	T-101

Index

.....	I-1
-------	-----